

## REMARKS

Claims 1-5, 9-12, 15-20, 24-27, and 30 are amended for purposes of expediting prosecution and not for purposes of patentability. The amendments are made to put the application in better condition for allowance or appeal. No new matter is added, and no new search should be required. Claims 6, 13, 21, and 28 are canceled without prejudice. Claims 1-5, 7-12, 14-20, 22-27, and 29-30 remain pending in the application and are understood to be patentable over the cited prior art.

The allowability of Claims 2-5, 9, 10, 12, 17-20 and 24-27 is acknowledged.

Reconsideration and allowance of the application are respectfully requested.

The Office Action does not show that claim 30 is directed to non-statutory subject matter. However, the claim is amended for purposes of expediting prosecution.

The Office Action does not establish that claims 1, 6, 7-8, 11, 13-14, 15-16, 21, 22-23, 28-29 and 30 are anticipated under 35 USC §102(b) by "Asuru" (ACM publication, "Optimization of Array Subscript Range Checks", 1992). The rejection is respectfully traversed because the Office Action does not show that all the limitations of the claims are taught by Asuru as explained in the response to the previous Office Action. However, the rejection is now thought to be moot because the independent claims are amended to include limitations that are similar to those of the allowable claims.

The amendments to claim 1 and other independent claims include limitations of the invariant property being a range of addresses, which the Office Action indicated as being allowable. The manner of the amendments to the independent claims and the claims depending therefrom are thought to provide sufficient antecedent basis for compliance with 35 USC §112 second paragraph.


The Office Action neither establishes that claim 15 is anticipated under 35 USC §102(b) by, nor unpatentable under 35 USC §103(a) over, "Sirer" ("Writing an Operating System with Modula-3", November 3, 1995 by Sirer et al.). The rejection is respectfully traversed because the all the claim limitations are not shown to be taught or suggested by Sirer. However, the rejection is thought to be moot in view of the amendment made to claim 15.

The previous response is not thought to have mischaracterized the prior art because the discussion of those teachings of Asuru in the previous response accurately described Asuru's teachings. The previous response was drafted with a focus toward the generation of the variant-checking code from the annotation, which is not understood to be suggested by Asuru. Asuru's abstract indicates the purpose is to eliminate range checks. Thus, even though one can see code with range checking in Asuru, it is not apparent by what approach the range checks in the code came into existence. It is from this perspective that Asuru's elimination of range checking was discussed. Therefore, the previous response did not mischaracterize the teachings of Asuru.

Withdrawal of the rejection and reconsideration of the claims are respectfully requested. No extension of time is believed to be necessary for consideration of this response. However, if an extension of time is required, please consider this a petition for a sufficient number of months for consideration of this response. If there are any additional fees in connection with this response, please charge Deposit Account No. 50-0996 (HPCO.012PA).

Respectfully submitted,

CRAWFORD MAUNU PLLC  
1270 Northland Drive, Suite 390  
Saint Paul, MN 55120  
(651) 686-6633

By:   
Name: LeRoy D. Maunu  
Reg. No.: 35,274